

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

IRENA LEE STANDING ROCK,

Plaintiff,

V.

SPOKANE TRIBAL COURT;
SPOKANE TRIBE OF INDIANS;
TAWHNEE BRISBOIS-COLVIN,
DCFS Director of CPS; VERONICA
FLETT; DAVID FLETT; and
THERESA POPE

Defendants.

NO. 2:17-CV-0399-TOR

ORDER OF DISMISSAL WITHOUT PREJUDICE

On January 16, 2018, Plaintiff was ordered to file, within 60 days, an

Amended Complaint or voluntarily dismiss the Complaint. Plaintiff is proceeding *pro se* and *in forma pauperis*.

18 Plaintiff was cautioned that her failure to amend or voluntarily dismiss
19 within 60 days would result in the dismissal of this case because her Complaint
20 failed to state a claim. Although granted the opportunity to do so, Plaintiff has

1 failed to timely amend or voluntarily dismiss this action.

2 Pursuant to 28 U.S.C. § 1915(a)(3), “[a]n appeal may not be taken *in forma*
3 *pauperis* if the trial court certifies in writing that it is not taken in good faith.” The
4 good faith standard is an objective one, and good faith is demonstrated when an
5 individual “seeks appellate review of any issue not frivolous.” *See Coppedge v.*
6 *United States*, 369 U.S. 438, 445 (1962). For purposes of 28 U.S.C. § 1915, an
7 appeal is frivolous if it lacks any arguable basis in law or fact. *Neitzke v. Williams*,
8 490 U.S. 319, 325 (1989).

9 The Court finds that any appeal of this Order would not be taken in good
10 faith and would lack any arguable basis in law or fact. Accordingly, the Court
11 hereby revokes Plaintiff’s *in forma pauperis* status.

12 **ACCORDINGLY, IT IS HEREBY ORDERED:**

13 1. Plaintiff’s Complaint is **DISMISSED without prejudice** for failure to
14 state a claim under 28 U.S.C. §1915(e)(2)(B).

15 2. Plaintiff’s *in forma pauperis* status is **REVOKED**.

16 The District Court Executive is directed to enter this Order, enter judgment
17 of dismissal without prejudice, forward a copy to Plaintiff, and **CLOSE** the file.

18 **DATED** March 23, 2018.



19 A handwritten signature in blue ink that reads "Thomas O. Rice".
20 THOMAS O. RICE
Chief United States District Judge